

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
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CASE MANAGEMENT AND SCHEDULING ORDER

This Case Management and Scheduling Order is entered by the Court, following a Scheduling Conference held on October 15, 2015, in accordance with Fed. R. Civ. P. 16(b) and 26(f), and relates to the Proof of Claim filed by Julio Pichardo (“Claimant”) (Claim No. 452).

1. Amended pleadings may not be filed and additional parties may not be joined except with leave of the Court. Any motion to amend or to join additional parties shall be filed by December 14, 2015.

2. All fact discovery shall be completed no later than December 14, 2015.

3. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure (“Civil Rules”), Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) and the Local Rules of the Bankruptcy Court for the Southern District of New York (“Local Bankruptcy Rules”).

4. Expert discovery

a. All expert discovery, if any, shall be completed no later than January 28, 2016.

b. No later than November 14, 2015, the parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions, provided that (i) Claimant's expert report(s) shall be due before those of the ResCap Borrower Claims Trust's (the "Borrower Trust") expert(s); and (ii) all expert discovery shall be completed by the date set forth in paragraph 4(a).

5. Motions

a. All motions and applications shall be governed by the Civil Rules, Bankruptcy Rules and Local Bankruptcy Rules, including pre-motion conference requirements. Pursuant to the authority provided by Fed. R. Civ. P. 16(b)(2), a motion for summary judgment will be deemed untimely unless a request for a pre-motion conference relating thereto (*see* Local Bankruptcy Rule 7056-1) is made in writing within fourteen (14) days after the close of fact discovery (*see* paragraph 2 hereof).

b. Motion papers shall be filed promptly after service. All motions, and courtesy copies of motions, shall include a table of contents listing all affidavits and exhibits. Affidavits and exhibits shall be clearly identified by tabs on both the original and courtesy copies. Exhibits shall be marked sequentially such that no exhibit number or letter repeats, regardless of the affidavit to which it is attached. Exhibits for Claimant should be marked by numbers; exhibits for the Borrower Trust should be marked by letters.

c. Two courtesy copies of all motions papers shall be delivered to chambers as soon as practicable after filing.

d. **Unless prior permission has been granted, memoranda of law in support of and in opposition to motions are limited to 25 pages, and reply memoranda are limited to 10 pages. All memoranda shall be double-spaced, 12-point font, with 1” margins. Memoranda of 10 pages or more shall contain a table of contents and a table of authorities.**

e. Prior to filing a motion, counsel for the moving party shall contact my Courtroom Deputy, Deanna Anderson, to obtain a hearing date for the motion.

6. Counsel shall submit a proposed Joint Pretrial Conference Order no later than February 29, 2016. The proposed Joint Pretrial Conference Order shall be prepared using the form of order that will be provided to counsel by my Courtroom Deputy or law clerks.

7. In the event of any discovery dispute in this action, the parties shall first meet and confer in an effort to resolve the dispute. If the parties are unable to resolve the dispute, any party seeking assistance from the Court shall, before filing any discovery motion, arrange a conference call with the Court with all parties involved in the dispute. The Court will endeavor to resolve the dispute without the filing of any discovery motions.

8. The final Pretrial Conference shall be held at March 1, 2016 at 2:00 p.m., (Eastern Standard Time), by telephone. The Trust’s counsel shall arrange the call-in number.

9. The trial of this contested matter shall be held on March 10 and 11, 2016, to begin at 9:00 a.m. (Eastern Standard Time) each day.

10. This ORDER may not be modified or the dates herein extended, except by further Order of this Court for good cause shown. Any application to modify or extend any deadline established by this Order shall be made in a written application no less than five (5) days prior to the expiration of the date sought to be extended.

IT IS SO ORDERED.

Dated: October 15, 2015
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge